

REMARKS

Reconsideration of the above-identified application in view of the foregoing amendments and following remarks is respectfully requested.

Claim Status

Claims 34-37 are pending and were rejected. By this amendment, claim 34 is amended. Also, claim 38 is added. No new matter has been added by this amendment.

Rejections under 35 U.S.C. §112

Claims 34-37 have been rejected under 35 U.S.C. §112, second paragraph, as allegedly failing to comply with the enablement requirement. The Office Action indicates that the term "predetermined time" is not disclosed in the specification, and it is not clear what the term is.

Applicants note that the original specification describes that "[a]s a predetermined time elapses from step 1010, the valves 530 and 535 are closed to stop the nitrogen supply..." [page 19, lines 5-7 of the original specification] Applicants also note that another portion of the specification describes that "... when a predetermined time (e.g., ten minutes) is elapsed, the valve 540 is closed to stop the oxygen supply..." [page 18, lines 18-22 of the original specification] Although, the example that shows an exemplary time (i.e., ten minutes) is directed to the oxygen environment, Applicants believe that one skilled in the art would understand that the same term (i.e., a predetermined time) can be interpreted in a similar way (e.g., ten minutes) in the nitrogen environment as well.

Reconsideration and withdrawal of the rejections of claims 34-37 under 35 U.S.C. §112, second paragraph, is respectfully requested.

Rejections under 35 U.S.C. §102

Claims 34-36 have been rejected under 35 U.S.C. §102(b) as allegedly being anticipated by JP 11-224839 to Tomoharu et al. ("Tomoharu").

Applicants contacted the Examiner over the telephone on May 1, 2008 to confirm the numerical typos in page 3 of the March 18, 2008 Final Office Action. The Examiner indicated that the article should be 2a-2d, 4a-4b (instead of 12), the second container should be 2g (instead of 15), and the light source should be 1 (instead of 14). The Examiner also indicated that the outside room of the second container 2g can be interpreted as a first container.

First of all, Tomoharu merely discloses that there are inert gas feed device 8a and oxygen feed device 10a are located outside the case 2g. For example, a portion of Tomoharu merely describes that "... an inert gas feed device 8a is provided. The inert gas feed device 8a is connected to the above spaces through an inert gas feed line 8b and a solenoid valve 8c ... An oxygen feed line 10b is joined to the inert gas feed line 8b, and an oxygen feed device 10a is connected to the oxygen feed line 10b ..." [English abstract of Tomoharu] As Applicants understand it, however, Tomoharu fails to show or suggest the specific steps as recited in claim 34 which includes the fifth step for exhausting the oxygen gas or the ozone gas in the first container so that a nitrogen containing ambience is produced in each of the first and second containers.

Secondly, even if the outside room in Tomoharu is interpreted as a first container, it still fails to teach at least the fifth step that exhausts the oxygen gas from the first container.

Nonetheless, claim 34 has been amended for further clarification. In particular, amended claim 34 specifically recites, *inter alia*, that "the discharged oxygen gas or the ozone gas in the first container is substantially exhausted to an outside environment so that the nitrogen

containing ambience is produced in each of the first and second containers" thereby further eliminating the possibility of interpreting the outside room as a first container.

Accordingly, each of claim 34 and claims 35-36 each depending from claim 34 is believed neither anticipated by nor rendered obvious in view of Tomoharu for at least the reasons discussed above.

Reconsideration and withdrawal of the rejections of claims 34-36 under 35 U.S.C. §102(b) is respectfully requested.

Rejections under 35 U.S.C. §103

Claim 37 has been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Tomoharu. Claims 34-37 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 4,989,031 to Kamiya ("Kamiya") in view of U.S. Patent No. 5,120,394 to Mukai ("Mukai") and U.S. Patent No. 6,616,773 to Kuzumoto, et al. ("Kuzumoto").

The *Response to Arguments* section of the Office Action indicates that "Mukai teaches a concept of using ultraviolet light generator for irradiating a laser array (wavelength: 193 nm) over the surface of substrate 11 (col. 5, lines 6-9) and introducing N₂ gas 8, 9 into the inner (second) container. Kuzumoto et al. teach a concept of introducing a nitrogen gas into the second container 1 and exhausting the oxygen gas or ozone gas in the second container to exchange an ambience of the second container (col. 2, lines 33-36 and Fig. 1). Therefore, it would have been obvious..." [page 6 of the Office Action]

One of the aspects of the present invention as featured in claim 34 as amended recites "a fourth step for introducing a nitrogen gas into the second container ... where the discharged oxygen gas or the ozone gas in the first container is substantially exhausted to an outside environment so that the nitrogen containing ambience is produced in each of the first and second

containers; and a fifth step for unloading the article from the first and second containers, after leaving in the nitrogen ambience." In other words, Applicants' fourth and fifth steps further require dispelling oxygen by also exhausting the first container and producing a nitrogen ambience in *both* first and second containers.

As Applicants understand it, however, none of the cited references shows or suggests this aspect of the invention. Simply introducing nitrogen gas into a single chamber system as in Mukai and Kuzumoto doesn't necessarily mean that they teach the fifth and sixth steps of the present invention which require dispelling oxygen by also exhausting the first container and producing a nitrogen ambience in *both* first and second containers.

Accordingly, each of claim 34 as amended, and claims 35-37 in depending from claim 34, is believed neither anticipated by nor rendered obvious in view of the cited references (i.e., Kamiya, Kuzumoto and Mukai), either taken alone or in combination, for at least the reasons discussed above.

Reconsideration and withdrawal of the rejections of claims 34-37 under 35 U.S.C. §103(a) is respectfully requested.

Applicants have chosen in the interest of expediting prosecution of this patent application to distinguish the cited documents from the pending claims as set forth above. These statements should not be regarded in any way as admissions that the cited documents are, in fact, prior art.

Also, Applicants have not specifically addressed the rejections of the dependent claims. Applicants respectfully submit that the independent claim, from which they depend, is in condition for allowance as set forth above. Accordingly, the dependent claims also are in condition for allowance. Applicants, however, reserve the right to address such rejections of the dependent claims in the future as appropriate.

New claim 38 has been added to recite the claimed invention in an alternative manner. New claim 38 recites an exposure apparatus including an optical lens having been rinsed in accordance with the rinsing method as recited in claim 34. New claim 38, in depending claim 34 as amended, is accordingly believed allowable for at least the similar reasons as in claim 34 discussed above.

CONCLUSION

For the above-stated reasons, this application is respectfully asserted to be in condition for allowance. An early and favorable examination on the merits is earnestly solicited. In the event that a telephone conference would facilitate the examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY ADDITIONAL FEES WHICH MAY BE REQUIRED FOR THE TIMELY CONSIDERATION OF THIS AMENDMENT UNDER 37 C.F.R. §§ 1.16 AND 1.17, OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 13-4500, ORDER NO. 1232-4819.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

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By: _____


Sungho Horig

Registration No. 54,571

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101
(212) 415-8700 Telephone
(212) 415-8701 Facsimile